UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

DANA LYON,	§
	§
Plaintiff,	§
VS.	§
	§
KOHLER COMPANY,	§
	§
Defendant/Third Party Plaintiff,	§ CIVIL ACTION NO. H-04-3533
	§
VS.	§
	§
WATTS WATER TECHNOLOGIES,	<u> </u>
INC.,	§
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Defendant/Third Party Plaintiff,	§

MEMORANDUM AND ORDER

Pending before the Court is Watts Water Technologies, Inc.'s ("Watts") notice of nonsuit as to Farmers Insurance Exchange ("Farmers"). The motion, Docket No. 38, is unopposed and is therefore **GRANTED**. All of Watts's claims against Farmers are hereby **DISMISSED WITHOUT PREJUDICE TO REFILING**.

IT IS SO ORDERED.

SIGNED at Houston, Texas, on this the 13th day of February, 2006.

S. P. Ellis

KEITH P. ELLISON

UNITED STATES DISTRICT JUDGE

TO INSURE PROPER NOTICE, EACH PARTY WHO RECEIVES THIS ORDER SHALL FORWARD A COPY OF IT TO EVERY OTHER PARTY AND AFFECTED NON-PARTY EVEN THOUGH THEY MAY HAVE BEEN SENT ONE BY THE COURT.